## REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-7, 11-12, 14 and 16-19 are pending in this application. Claims 1, 6-7, 11, 14 and 17-18 are amended. Claims 8-10, 13, 15 and 20 are cancelled. Claims 1 and 17 are the independent claims.

## ENTRY OF AFTER FINAL AMENDMENT

Entry of this amendment is proper under 37 CFR §1.116 since the amendments: (a) **place the application in condition for allowance for the reasons discussed herein**; (b) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary.

## STATEMENT UNDER 37 C.F.R. §1.133(B)

Applicants wish to thank Examiner Vaughan for his time and comments during the phone interviews conducted May 25, 2011 and June 9, 2011 between the Examiner and the Applicants Representatives.

Potential claim amendments to overcome the art rejections were discussed during both the interviews. After the May 25, 2011 interview, Applicants proposed further claim amendments. The Examiner agreed to consider the proposed claim amendments when filed in a formal response. Also, claim amendments to overcome the nonstatutory obviousness type double patenting rejection based on co-pending application 10/577,158 were discussed during the interview of June 9, 2011. During the June 9, 2011 interview, it was agreed that the incorporating claim 15

into the independent claims would overcome the nonstatutory obviousness type double patenting rejection.

The instant amendment is based on the discussions carried out during the interviews.

**DOUBLE PATENTING REJECTION**

Claims 1-6, 8-11, 13, and 16-18 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 21-26, 29, 32, 33, and 36-40 of co-pending App. No. 10/577,158. This rejection is respectfully traversed.

As discussed and agreed during the June 9, 2011 interview, amendments to claims 1-6, 8-11, 13, and 16-18 overcome the nonstatutory obviousness-type double patenting rejection.

**REJECTIONS UNDER 35 U.S.C. § 103**

Claims 1-11, 13-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0114144 ("Minemura") in view of U.S. Patent Publication No. 2005/0097053 ("Aaltonen").

This rejection is moot with respect to claims 8-10, 13 and 15 in view of cancellation of the claims and is respectfully traversed with respect to the remainder of the claims for the reasons detailed below.

As discussed during the interview of June 9, 2011, the proposed combination of Minemura and Aaltonen fails to teach or even suggest "analyzing and verifying, by the control server, said identification data and, based on the analysis and verification, the control server creating a protection profile defining resources of the security module that can be used by the at least one application, the protection profile being created based on at least one of: an updating of a

version of a software installed in the equipment, a downloading of a new application in the equipment, an updating period of the protection profile, a number of connection of the equipment to the network, and a technology used for accessing the network," as recited in independent claim 1.

Also, as discussed during the interview of June 9, 2011, the proposed combination of Minemura and Aaltonen fails to teach or even suggest "the verification occurring periodically at a rate given by the control server, during at least one of a first initialization of the at least one application, a first use of the at least one application, and each initialization of the at least one application," as recited in independent claim 1.

For at least the above reasons, Applicants submit that the proposed combination of Minemura and Aaltonen fails to render independent claim 1 and the somewhat similar features recited in independent claim 17 obvious to one of ordinary skill in the art.

Claims 2-7, 11, 14, 16, and 18-19, dependent on one of independent claims 1 and 17, are patentable for the reasons stated above with respect to claims 1 and 17 as well as for their own merits.

Applicants, therefore, respectfully request that the rejection to claims 1-7, 11, 14 and 16-19 under 35 U.S.C. § 103(a) be withdrawn.

## REJECTIONS UNDER 35 U.S.C. § 103

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Minemura in view of Aaltonen, and further in view of U.S. Patent Publication No. 2002/0012433 ("Haverinen"). Applicants respectfully traverse this rejection for the reasons detailed below.

Claim 12 is dependent on independent claim 1, and claim 1 is patentable over the proposed combination of Minemura and Aalteonen for the reasons given

above. Further, Haverinen fails to overcome the noted deficiencies of Minemura and Aalteonen. Therefore, any combination of Minemura, Aalteonen and Haverinen fails to render claim 12 obvious to one of ordinary skill in the art.

Applicants, therefore, respectfully request that the rejection to claim 12 under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By _____

Donald J. Daley, Reg. No. 34,313
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/AZP:jrm
Ayp